

THE COMMISSIONER MAY IMPOSE A PENALTY NOT EXCEEDING \$500 FOR EACH VIOLATION OF § 27-303 OF THIS SUBTITLE OR A REGULATION ADOPTED UNDER § 27-303 OF THIS SUBTITLE.

(B) FOR VIOLATION OF § 27-304.

THE PENALTY FOR A VIOLATION OF § 27-304 OF THIS SUBTITLE IS AS PROVIDED IN §§ 1-301, 4-113, 4-114, AND 27-103 OF THIS ARTICLE.

(C) RESTITUTION.

(1) ON FINDING A VIOLATION OF THIS SUBTITLE, THE COMMISSIONER MAY REQUIRE AN INSURER OR NONPROFIT HEALTH SERVICE PLAN TO MAKE RESTITUTION TO EACH CLAIMANT WHO HAS SUFFERED ACTUAL ECONOMIC DAMAGE BECAUSE OF THE VIOLATION.

(2) RESTITUTION MAY NOT EXCEED THE AMOUNT OF ACTUAL ECONOMIC DAMAGE SUSTAINED, SUBJECT TO THE LIMITS OF ANY APPLICABLE POLICY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 230A(e).

Defined terms: "Commissioner" § 1-101

"Insurer" § 1-101

"Policy" § 1-101

27-306. APPEALS.

AN APPEAL FROM AN ORDER ISSUED BY THE COMMISSIONER UNDER THIS SUBTITLE SHALL BE TAKEN IN ACCORDANCE WITH § 2-215 OF THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 230A(f)(1)(ii).

Defined term: "Commissioner" § 1-101

#### SUBTITLE 4. FRAUDULENT INSURANCE ACTS.

27-401. "CLAIM" DEFINED.

(1) IN THIS SUBTITLE, "CLAIM" MEANS A DEMAND FOR PAYMENT OR BENEFIT UNDER A POLICY OR CONTRACT BY AN INSURED, THIRD PARTY, OR REPRESENTATIVE OF THE INSURED OR THIRD PARTY.

(2) "CLAIM" INCLUDES A DEMAND FOR PAYMENT OR BENEFIT MADE AGAINST:

(I) THE STATE UNDER TITLE 12 OF THE STATE GOVERNMENT ARTICLE, TITLE 8, SUBTITLE 1 OF THE STATE PERSONNEL AND PENSIONS ARTICLE, OR TITLE 9 OF THE LABOR AND EMPLOYMENT ARTICLE; OR

(II) THE MASS TRANSIT ADMINISTRATION WHEN ACTING AS A SELF-INSURER UNDER § 7-703 OF THE TRANSPORTATION ARTICLE.